

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
APR 23 2002 PM 3:53  
CLERK U.S. BANKRUPTCY COURT

IN RE:

KENNETH SCHMIDT and  
KIMBERLY SCHMIDT

DEBTORS.

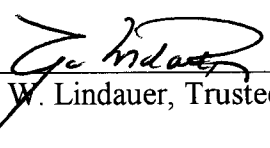
CASE NO. 01-42380  
(CHAPTER 7)

TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION,  
AND REPORT OF PROPOSED DISTRIBUTION

JOYCE W. LINDAUER, Trustee of the estate of the above-named Debtor, certifies to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of the office of the trustee, that the trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the Court. The trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

Therefore, the trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: 4/23/02

  
Joyce W. Lindauer, Trustee

\*\*\*\*\*

REVIEWED BY THE UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

Date: 5-8-02

UNITED STATES TRUSTEE

By: 



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

KENNETH SCHMIDT and  
KIMBERLY SCHMIDT

DEBTORS.

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CASE NO. 01-42380  
(CHAPTER 7)


**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND  
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced moneys from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. § 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. § 554(c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this Final Report.
7. The Trustee has examined each and every claim filed and noted her approval of claims as filed, or she has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution and Account and certification by the U.S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: 4/23/02

  
\_\_\_\_\_  
Joyce W. Lindauer, Trustee  
12900 Preston Road, Suite #1050  
Dallas, Texas 75230  
(972) 503-4033

SCHEDULE A-1

FINAL ACCOUNT AS OF:

A.	RECEIPTS	\$ 2,404.56
B.	DISBURSEMENTS	
(1)	Secured Creditors	\$ 0.00
(2)	Administrative Expenses	\$ 0.00
(3)	Priority Creditors	\$ 0.00
(4)	Other	\$ 0.00
	TOTAL DISBURSEMENTS:	<u>\$ 0.00</u>
C.	CURRENT BALANCE:	<u><u>\$ 2,404.56</u></u>

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

LINDAUER

COMMENTS:

CASE NAME:

SCHMIDT, KENNETH/KIMBERLY

CASE NUMBER:

01-42380

DATE UST APPROVED:

05-08-02

ESTATE INCOME:

TOTAL RECEIPTS:

\$2,404.56

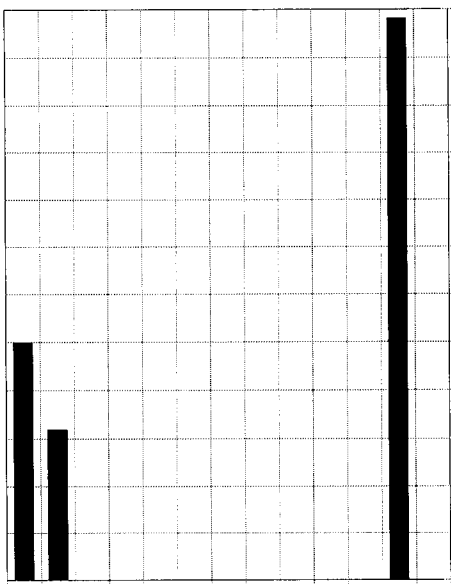
100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION  
TRUSTEE'S EXPENSES  
FIRM'S PROFESSIONAL FEES  
FIRM'S PROFESSIONAL EXPENSES  
OTHER ATTORNEY FEES  
OTHER PROFESSIONAL FEES  
COURT COSTS  
ESTATE EXPENSES(TAXES, ETC)  
PRIOR CHAPTER COSTS  
SECURED CLAIMS PAID  
PRIORITY CLAIMS PAID  
UNSECURED CLAIMS PAID  
OTHER(RETURN TO DEBTOR, ETC)

601.14  
383.15  
0.00  
0.00  
0.00  
0.00  
0.00  
0.00  
0.00  
0.00  
0.00  
0.00  
1,420.27  
0.00

25.00%  
15.93%  
0.00%  
0.00%  
0.00%  
0.00%  
0.00%  
0.00%  
0.00%  
0.00%  
0.00%  
0.00%  
59.07%  
0.00%



0% 10% 20% 30% 40% 50% 60%

UNSECURED CLAIMS  
ALLOWED

49,135.93

UNSECURED CLAIMS  
PAID

1,420.27

PERCENT RECOVERED  
FOR UNSECURED

2.89%

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 01-42380 DRS  
Case Name: SCHMIDT, KENNETH  
SCHMIDT, KIMBERLY  
Period Ending: 04/22/02

Trustee: (631680) JOYCE LINDAUER  
Filed (f) or Converted (c): 06/19/01 (f)  
§341(a) Meeting Date: 08/13/01  
Claims Bar Date: 01/10/02

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	2000 Bishop Dr., Flower Mound, TX 75028	257,000.00	0.00		0.00	FA
2	Cash on Hand	200.00	0.00		0.00	FA
3	Brokerage Account	2,400.00	2,400.00		2,400.00	FA
4	Household Goods, Flower Mound, TX	10,600.00	0.00		0.00	FA
5	Clothing	800.00	0.00		0.00	FA
6	Jewelry	2,700.00	0.00		0.00	FA
7	1996 Chevy Truck	9,500.00	0.00		0.00	FA
8	1999 Chev Suburban	19,000.00	0.00		0.00	FA
9	Business Equipment	200.00	0.00		0.00	FA
Int	INTEREST (u)	Unknown	N/A		4.56	Unknown
10	Assets Totals (Excluding unknown values)	\$302,400.00	\$2,400.00		\$2,404.56	\$0.00

#### Major Activities Affecting Case Closing:

Trustee objected to exemptions. Demand for turnover of funds in brokerage account.

Initial Projected Date Of Final Report (TFR): March 31, 2002      Current Projected Date Of Final Report (TFR): June 30, 2002

# Form 2

Page: 1

## Cash Receipts And Disbursements Record

Case Number: 01-42380 DRS  
Case Name: SCHMIDT, KENNETH  
SCHMIDT, KIMBERLY  
Taxpayer ID #: 01-6173318  
Period Ending: 04/22/02

Trustee: JOYCE LINDAUER (631680)  
Bank Name: THE CHASE MANHATTAN BANK  
Account: 312-8349347-65 - Money Market Account  
Blanket Bond: \$300,000.00 (per case limit)  
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
01/10/02	{3}	Kenneth Schmidt	Funds in the Brokerage Account	2,400.00		2,400.00
01/10/02	{3}	Kenneth Schmidt	Reversing Deposit to reissue properly	-2,400.00		0.00
01/11/02	{3}	Kenneth Schmidt	To Close Brokerage Account	1,000.00		1,000.00
01/11/02	{3}	Kenneth Schmidt	To Close Brokerage Account	1,000.00		2,000.00
01/11/02	{3}	Kenneth Schmidt	Close Brokerage Account	400.00		2,400.00
01/31/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.9500%	1.00		2,401.00
02/28/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.8500%	1.65		2,402.65
03/29/02	Int	THE CHASE MANHATTAN BANK	Interest posting at 0.8500%	1.74		2,404.39
04/09/02	Int	Interest Posting	Current Interest Rate is 0.8500%	0.17		2,404.56
04/09/02		To Account #312834934766	Close MMA - Open DDA - Ready to do TFR		2,404.56	0.00

<b>ACCOUNT TOTALS</b>	<b>2,404.56</b>	<b>2,404.56</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	2,404.56	
<b>Subtotal</b>	<b>2,404.56</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$2,404.56</b>	<b>\$0.00</b>	

# Form 2

Page: 2

## Cash Receipts And Disbursements Record

Case Number: 01-42380 DRS  
Case Name: SCHMIDT, KENNETH  
SCHMIDT, KIMBERLY  
Taxpayer ID #: 01-6173318  
Period Ending: 04/22/02

Trustee: JOYCE LINDAUER (631680)  
Bank Name: THE CHASE MANHATTAN BANK  
Account: 312-8349347-66 - Checking Account  
Blanket Bond: \$300,000.00 (per case limit)  
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
04/09/02		From Account #312834934765	Close MMA - Open DDA - Ready to do TFR	2,404.56		2,404.56

<b>ACCOUNT TOTALS</b>	<b>2,404.56</b>	<b>0.00</b>	<b>\$2,404.56</b>
Less: Bank Transfers	2,404.56	0.00	
<b>Subtotal</b>	<b>0.00</b>	<b>0.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	

	Net Receipts	Net Disbursements	Account Balances
<b>TOTAL - ALL ACCOUNTS</b>			
MMA # 312-8349347-65	2,404.56	0.00	0.00
Checking # 312-8349347-66	0.00	0.00	2,404.56
	<b>\$2,404.56</b>	<b>\$0.00</b>	<b>\$2,404.56</b>

## SCHEDULE B

### APPLICATION FOR COMPENSATION

#### COMPUTATION OF COMMISSIONS (cases filed after 10/22/95)

Total Receipts	<u>2,404.56</u>	25% of First \$5,000	\$ 601.14
Less	(5,000.00)		
Balance	<u>0.00</u>	10% of next \$45,000	\$ 0.00
Less	(45,000.00)		
Balance	<u>0.00</u>	5% of next \$950,000	\$ 0.00
Less	(950,000.00)		
Balance	<u>0.00</u>	3% of Remaining Balance	<u>\$ 0.00</u>

TOTAL COMMISSIONS \$ 601.14

#### UNREIMBURSED EXPENSES

Recording Fees	\$ 0.00
Premium on Trustee's Bond	\$ 0.00
Copy Costs (See Exhibit "A")	\$ 85.00
Postage Costs (See Exhibit "A")	\$ 23.15
Secretarial Time (See Exhibit "A")	\$ 275.00
Preservation of Estate	\$ <u>0.00</u>
TOTAL UNREIMBURSED EXPENSES:	<u>\$ 383.15</u>



# EXHIBIT "A"

## TRUSTEE EXPENSES

<b>Paralegal, Copies, Postage:</b>	<b># Copies</b>	<b>Postage</b>
Objection to Exemption	40	\$ 3.40
Motion to Compel Turnover of Assets	50	\$ 3.40
Final Report	240	\$12.95
Distribution Checks	10	\$ 3.40

<b>TOTALS:</b>	
Paralegal Time = 5.50 hours @ \$ 50.00/hour	\$275.00
Copies = 340 @ \$ .25/page	\$ 85.00
Postage	\$ 23.15

PARALEGAL TIME

Date	Description of Services	Total Hours
09/25/01	Preparation of Objection to Exemption	.5
11/27/01	Preparation for Hearing on Objection to Exemption	.5
12/03/01	Preparation to Compel Turnover of Assets	.5
04/04/02	Draft Final Report	2.5
04/08/02	Revise Final Report	.5
	Preparation of Supplemental Final Report	1.0
	Total Hours:	5.50

SCHEDULE C

EXPENSES OF ADMINISTRATION

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
1. 11 U.S.C. Sec. 507(a) (1) <u>Court Costs and Fees</u>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2. 11 U.S.C Sec. 503(b) (1) (A) <u>Preservation of Estate</u>				
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estates share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Other (itemize)	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b) (2) <u>Post-Petition taxes and related penalties</u>	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b) (2) <u>Compensation and Reimbursement</u>				
A. Compensation of Trustee	\$ 601.14	\$ 601.14	0.00	\$ 601.14
B. Expenses of Trustee	\$ 383.15	\$ 383.15	0.00	\$ 383.15
C. Expenses of Auctioneer	\$ 0.00	\$ 0.00	0.00	\$ 0.00
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. U.S. Trustee fees	0.00	0.00	0.00	0.00
7. Other (itemize)	0.00	0.00	0.00	0.00
Totals:	<u>\$984.29</u>	<u>\$984.29</u>	<u>\$ 0.00</u>	<u>\$984.29</u>

# SCHEDULE D

## SECURED CLAIMS

Claim No.	Secured Claim (Creditor Name)	Amount Claimed	Amount Allowed	Previously Paid	Due
	NONE				
	Total				0.00

# SCHEDULE E

## PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Due
1. For Credit Extended Section 364(e)(1)					
2. Claims for failure of adequate protection Section 307(a)(b)					
3. "Gap Claims" Section 507(a)(2)					
4. Wages, etc. Section 507(a)(3)					
5. Contributions to Benefit Plans Section 507(a)(4)					
6. Consumer Deposits Section 507(a)(6)					
7. Taxes Section 507(a)(7)					
<b>TOTAL:</b>					\$0.00

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

In Re:

Case No: 01-42380 drs

Kenneth Schmidt  
Kimberly Schmidt

Chapter: 7

Debtor(s)

**BILL OF COURT COSTS**

To: **Joyce W. Lindauer**  
**Chapter 7 Trustee**  
**12900 Preston Road, Suite 1050**  
**Dallas, TX 75230**

Notice is hereby given that court costs (and deferred adversary filing fees, if applicable) are due and owing, pursuant to 28 USC Section 1930, in the above case in the amount of **\$0.00**.

These costs are itemized as follows:

**NOTICES**

\$ .25 per notice in excess of 50 notices mailed prior to 1/1/87.	<b>\$0.00</b>
\$ .50 per notice for all notices mailed 1/1/87 between 1/1/98.	<b>\$0.00</b>

**NOTE:** For Chapter 7 cases filed after 12/1/92, there will be NO NOTICE FEES.  
(Do Not Bill for \$.50 per notice)

**NOTE:** For all other chapters filed after 1/1/98, there will be NO NOTICE FEES. (Do Not Bill for \$.50 per notice)

**PROCESSING CLAIMS**

**NOTE:** Eliminated is the fee of \$.25 for clerical processing of each claim in excess of 10 in cases filed under the Act or Code.

**DEFERRED ADVERSARY FILING FEES**

0 Chapter 7 Adversary Proceeding filed @ \$120.00/150.00 each.	<b>\$0.00</b>
--	---------------

**NOTE:** For all Adversary Proceedings filed after 12/18/96 the filing fee is \$150.00.

<b>TOTAL AMOUNT DUE</b>	<b>\$0.00</b>
-------------------------	---------------

Check to be made payable to Clerk, U.S. Bankruptcy Court

Date: **February 6, 2002**

JAMES D. TOKOPH  
Clerk of Court

By:   
Deputy Clerk


**NOTE:** For Chapter 11 Cases Only: Court costs are due on or before the confirmation hearing. The Judge will confirm that these cases have been paid at the hearing.

JOYCE W. LINDAUER  
CHAPTER 7 TRUSTEE  
12900 Preston Road, Suite 1050  
Dallas, Texas 75230

Telephone:  
(972) 503-4033

February 1, 2002

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TX.  
2002 FEB -4 PM 2:06

CLERK, U.S. BANKRUPTCY  
COURT  
BY  Telecopy: DEPUTY  
(972) 503-4034

Clerk, U.S. Bankruptcy Court  
660 N. Central Expressway, Suite 300B  
Plano, TX 75074

Re: Kenneth and Kimberly Schmidt, *Debtors*  
Case No. 01-42380

Dear Clerk:

In preparation of the Chapter 7 Trustee's Final Report in the above-referenced proceeding,  
please indicate below any Court fees which remain to be paid.

Very truly yours,

Nancy M. Howe  
Legal Assistant to Joyce W. Lindauer

Encs.

Fees Due:	<u>          </u> Yes	Amount \$ <u>0.00</u>
	<u>✓</u> No	

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

2001 NOV 29 AM 11:49

CLERK OF U.S. BANKRUPTCY  
COURT

BY BL DEPUTY

IN RE:

KENNETH SCHMIDT  
KIMBERLY SCHMIDT

DEBTORS.

**EOD**

NOV 29 2001

CASE NO. 01-42380  
Chapter 7

ORDER ON TRUSTEE'S OBJECTION TO  
DEBTORS' PROPERTY CLAIMED AS EXEMPT

The Court having considered the Trustee's Objection to Debtors' Property Claimed as Exempt, the same being noticed to all parties concerned, and good cause having been shown, it is, therefore

ORDERED, ADJUDGED AND DECREED that the Trustee's Objection to Debtors' Property Claimed as Exempt is hereby sustained.

DATED: November 27 2001

Donald R. Gray  
UNITED STATES BANKRUPTCY JUDGE

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
2001 DEC 28 PM 4:11  
KLEBERG COUNTY COURT  
BY                      DEPUTY

IN RE:

KENNETH SCHMIDT and  
KIMBERLY SCHMIDT

DEBTORS.

§  
§  
§  
§  
§  
§

CASE NO. 01-42380  
(Chapter 7)

ORDER GRANTING  
TRUSTEE'S MOTION TO COMPEL TURNOVER  
OF ASSETS OF THE ESTATE

CAME ON FOR CONSIDERATION the Trustee's Motion to Compel Turnover of Assets of the Estate. Upon consideration of the pleadings, and due notice having been given, the Court is of the opinion that sufficient cause exists to grant the Motion. According, it is hereby

ORDERED, ADJUDGED AND DECREED that the Debtors are to turnover the brokerage account funds in the amount of \$2,400.00 to the Trustee immediately.

DATED:

December 27, 2001

Donald R. Schump  
UNITED STATES BANKRUPTCY JUDGE

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## Eastern District of Texas Claims Register

**01-42380 Kenneth Schmidt and Kimberly Schmidt**

**Honorable Donald R. Sharp**

**Debtor Name: SCHMIDT,KIMBERLY**

<b>Claim No: 1</b>	Creditor Name: Sears P.O.Box 3671 Des Moines, IA 50322	Last Date to File Claims: 01/10/2002 Last Date to File (Govt): Filing Status: Allow Docket Status: Late:
Claim Date: 10/29/2001	Amends Claim No: 0 Amended By Claim No:	Duplicates Claim No: 0 Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$2611.21	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$2611.21</b>	
Description:		
Remarks: Converted from BANCAP.		

<b>Claim No: 2</b>	Creditor Name: Foley's PO Box 1971 Houston, TX 77251	Last Date to File Claims: 01/10/2002 Last Date to File (Govt): Filing Status: Allow Docket Status: Late:
Claim Date: 11/15/2001	Amends Claim No: 0 Amended By Claim No:	Duplicates Claim No: 0 Duplicated By Claim No:
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$1322.32	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$1322.32</b>	
Description:		
Remarks: Converted from BANCAP.		

		Last Date to File Claims: 01/10/2002
--	--	---

<b>Claim No: 3</b>	<i>Creditor Name:</i> MBNA America PO Box 15168 MS 1421 Wilmington, DE 19850	<i>Last Date to File (Govt):</i> <i>Filing Status:</i> Allow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 11/19/2001	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$22039.29	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$22039.29</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 4</b>	<i>Creditor Name:</i> World Financial Network National Bank P.O. Box 182124 Columbus, OH 43218-2124	<i>Last Date to File Claims:</i> 01/10/2002 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Disallow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 01/07/2002	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$639.13	
Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$639.13</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

<b>Claim No: 5</b>	<i>Creditor Name:</i> Citibank P.O. Box 6305 The Lakes, NV 88901-6305	<i>Last Date to File Claims:</i> 01/10/2002 <i>Last Date to File (Govt):</i> <i>Filing Status:</i> Allow <i>Docket Status:</i> <i>Late:</i>
<i>Claim Date:</i> 01/11/2002	<i>Amends Claim No:</i> 0 <i>Amended By Claim No:</i>	<i>Duplicates Claim No:</i> 0 <i>Duplicated By Claim No:</i>
<b>Class</b>	<b>Amount Claimed</b>	<b>Amount Allowed</b>
Unsecured	\$222523.98	

Secured	\$0.00	
Priority	\$0.00	
Unknown	\$0.00	
Admin	\$0.00	
<b>Total</b>	<b>\$222523.98</b>	
<i>Description:</i>		
<i>Remarks:</i> Converted from BANCAP.		

### Claims Register Summary

**Case Name:** Kenneth Schmidt and Kimberly Schmidt

**Case Number:** 2001-42380

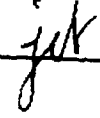

**Chapter:** 7

**Date Filed:** 06/19/2001

**Total Number Of Claims:** 5

	Total Amount Claimed	Total Amount Allowed
<b>Unsecured</b>	\$249135.93	
<b>Secured</b>	\$0.00	
<b>Priority</b>	\$0.00	
<b>Unknown</b>	\$0.00	
<b>Administrative</b>	\$0.00	
<b>Total</b>	<b>\$249135.93</b>	

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
04/22/2002 13:01:50			
<b>PACER Login:</b>	li0081	<b>Client Code:</b>	
<b>Description:</b>	SearchClaims	<b>Case Number:</b>	01-42380
<b>Billable Pages:</b>	2	<b>Cost:</b>	0.14

United States Bankruptcy Court		Northern District of TX	FILED
Name of Debtor <b>KENNETH SCHMIDT</b>	Social Security No <b>508-66-0286</b> <b>072-56-8942</b>	Case Number Chapter 7 <b>0142380DRS</b> Court Code <b>TXPL</b>	<b>U.S. BANKRUPTCY COURT</b> <b>EASTERN DISTRICT OF TX</b> <b>2002 JAN 11 AM 11:47</b> <b>CLERK, U.S. BANKRUPTCY COURT</b>  <b>DEPUTY</b>
<small>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</small>			<div style="border: 1px solid black; padding: 5px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p><small>Name of Creditor (The person or other entity to whom the debtor owes money or property)</small> <b>Citibank (South Dakota), N.A.</b></p> <p><small>Name and Address Where Notices Should be Sent</small> <b>Citibank/CHOICE</b> <b>Exception Payment Processing</b> <b>P.O. Box 6305</b> <b>The Lakes, NV 88901-6305</b>   <small>Telephone No:</small> <b>800 846 8444 x5-6475</b></p> </div> <div style="width: 35%;"> <p><small>[ ] Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.</small></p> <p><small>[ ] Check box if you have never received any notices from the bankruptcy court in this case.</small></p> <p><small>[X] Check box if the address differs from the address on the envelope sent to you by the court.</small></p> </div> </div> </div>
<small>ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR</small> <b>4128004089424171</b>			
<small>Check here if this claim:</small> <div style="display: flex; justify-content: space-between;"> <span><small>[ ] amends a previously filed claim, dated:</small></span> <span><small>[ ] replaces</small></span> </div>			
<b>1. BASIS FOR CLAIM</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p><small>[ ] Goods sold</small></p> <p><small>[ ] Services performed</small></p> <p><small>[ ] Money loaned</small></p> <p><small>[ ] Personal injury/wrongful death</small></p> <p><small>[ ] Taxes</small></p> <p><small>[X] Other (Describe briefly)</small>    <b>CREDIT CARD DEBT</b></p> </div> <div style="width: 35%;"> <p><small>[ ] Retiree benefits in 11 U.S.C. 1114(a)</small></p> <p><small>[ ] Wages, salaries and compensations (Fill out below)</small></p> <p><small>Your social security number _____</small></p> <p><small>Unpaid compensation for services performed from _____ to _____</small></p> <p><small>(date) (date)</small></p> </div> </div>			
<b>2. DATE DEBT WAS INCURRED:</b> <b>11/04/2001</b>		<b>3. IF COURT JUDGEMENT, DATE OBTAINED:</b>	
<b>4. Total Amount of Claim at Time Case Filed:</b> <b>\$22,523.98</b> <small>If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below</small> <small>[ ] Check this box if claim includes charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.</small>			
<b>5. Secured Claim</b> <small>[ ] Check this box if your claim is secured by collateral (including a right of setoff)</small> <small>Brief Description of Collateral</small> <small>[ ] Real Estate    [ ] Motor Vehicle    [ ] Other (describe briefly)</small>  <small>Value of Collateral:</small>  <small>Amount or arrearage and other charges included in secured claim above, if any \$ _____</small>		<b>6. Unsecured Priority Claim</b> <small>[ ] Check this box if you have an unsecured priority claim</small> <small>Amount entitled to priority</small> <small>Specify the priority of the claim:</small> <small>[ ] Wages, salaries, or commissions (up to \$4300), * earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier -- 11 U.S.C. § 507(a)(3)</small> <small>[ ] Contributions to an employee benefit plan -- 11 U.S.C. § 507(a)(4)</small> <small>[ ] Up to \$1,950* of deposits toward purchases, lease, or rental of property or services for personal, family, or household use -- 11 U.S.C. § 507(a)(6)</small> <small>[ ] Alimony, maintenance, or support owed to a spouse, former spouse, or child -- 11 U.S.C. § 507(a)(7)</small> <small>[ ] Taxes or penalties of governmental units -- 11 U.S.C. § 507(a)(8)</small> <small>[ ] Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____)</small> <small>*Amounts are subject to adjustment on 4/1/96 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment</small>	
<b>7. Credits:</b> <small>The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.</small>			<div style="border: 1px solid black; padding: 5px;"> <b>THIS SPACE IS FOR COURT USE ONLY</b> </div>
<b>8. SUPPORTING DOCUMENTS:</b> <small>Attach copies of supporting documents such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are voluminous attach a summary.</small>			
<b>9. Date-Stamped Copy:</b> <small>To receive an acknowledgement of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.</small>			
<small>Date:</small> <b>1/7/2002</b>		<small>Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)</small>  <b>Gary Goldberg, Vice President of Citicorp Credit Services, Inc.</b> <b>under limited power of attorney for Citibank (South Dakota), N.A.</b>	

4128004089424171

**Citibank/CHOICE**

**Exception Payment Processing  
P.O. Box 6305  
The Lakes, NV 88901-6305**

## STATEMENT

Account Holder

SS#: 508660286  
Name: SCHMIDT, KENNETH D

### Bankruptcy Information

Case#: 0142380DRS  
Court: PLANO  
Chapter: 7  
File Date: 11/05/2001  
341A: 08/13/2001

—[ Account No. ]

4128004089424171

New Balance	\$22,523.98
-------------	-------------

Available Credit	0.00
------------------	------

— [ ENTER AMOUNT ENCLOSED ]

INCLUDE YOUR ACCOUNT NUMBER ON CHECK AND MAKE PAYABLE TO:

**Citibank (South Dakota), N.A.**

CARDMEMBER NAME	ACCOUNT NUMBER	CREDIT LINE	AVAILABLE CREDIT	STATEMENT DATE
KENNETH SCHMIDT	4128004089424171	\$21,000.00	0.00	01/07/2002

DATE	DESCRIPTION OF TRANSACTION	AMOUNT
	TOTAL:	\$22,523.98

## STATEMENT SUMMARY

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: )  
 )  
KENNETH SCHMIDT and )  
KIMBERLY SCHMIDT ) CASE NO. 01-42380  
 ) (CHAPTER 7)  
DEBTORS. )

**TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS**

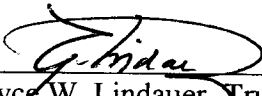
The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distribution.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution upon certification by the U.S. Trustee unless written objection thereto is filed and served on the trustee and on the U.S. Trustee.

i.	Balance on Hand	\$2,404.56
ii.	Administrative Expenses to be paid	\$ 984.29
iii.	Priority Claims to be paid	\$ 0.00
iv.	Secured Claims to be paid	\$ 0.00
v.	Unsecured Claims to be paid	\$1,420.27
vi.	Miscellaneous distributions to be paid	\$ 0.00
vii.	Total Distributions to be made	<u>\$2,404.56</u>
viii.	Zero Balance	<u>\$ 0.00</u>

Dated: 4/23/02

  
\_\_\_\_\_  
Joyce W. Lindauer, Trustee  
12900 Preston Road, Suite 1050  
Dallas, Texas 75230  
(972) 503-4033

Claims Proposed Distribution  
Trustee: Joyce W. Lindauer

Case: Kenneth Schmidt and Kimberly Schmidt

Case Balance: \$2,404.56

Total Proposed Payment: \$2,404.56

Remaining Balance: \$2,404.56

Claim No.	Claimant Name	Type	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Remaining Funds
	Joyce W. Lindauer Exp - Trustee (Ch 7)	Admin Ch 7	\$383.15	\$383.15	\$0.00	\$383.15	\$383.15	\$2,021.41
	Clerk, U.S. Bankruptcy Court	Admin Ch 7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,021.41
	Joyce W. Lindauer Fees - Trustee (Ch 7)	Admin Ch 7	\$601.14	\$601.14	\$0.00	\$601.14	\$601.14	\$1,420.27
	Fees - Trustee's Atty (Ch 7)	Admin Ch 7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,420.27
1	Sears	Un- secured	\$2,611.21	\$2,611.21	\$0.00	\$2,611.21	\$75.48	\$1,344.79
2	Foley's	Un- secured	\$1,322.32	\$1,322.32	\$0.00	\$1,322.32	\$38.22	\$1,306.57
3	MBNA America	Un- secured	\$22,039.29	\$22,039.29	\$0.00	\$22,039.29	\$637.04	\$669.53
4	World Financial Network	Un- secured	\$639.13	\$639.13	\$0.00	\$639.13	\$18.48	\$651.05
5	Citibank	Un- secured	\$22,523.98	\$22,523.98	\$0.00	\$22,523.98	\$651.05	\$0.00
Total for Case No. 01-42380			\$50,120.22	\$50,120.22	\$0.00	\$50,120.22	\$2,404.56	\$0.00

CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Balance
Total Administrative Claims:	\$984.29	\$984.29	\$0.00	\$984.29
Total Priority Claims:	\$0.00	\$0.00	\$0.00	\$0.00
Total Secured Claims:	\$0.00	\$0.00	\$0.00	\$0.00
Total Unsecured Claims:	\$49,135.93	\$49,135.93	\$0.00	\$49,135.93



IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: KENNETH & KIMBERLY            / BANKRUPTCY CASE: 01-42380  
      SCHMIDT                                /  
   / CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.  
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 200 E. Ferguson, Tyler, Texas 75702, or at the trustee's office whose name and address is as follows:

JOYCE LINDAUER   12900 PRESTON ROAD SUITE 900   DALLAS, TX 75230

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>JOYCE LINDAUER</u> Trustee	<u>601.14</u>	<u>383.15</u>
<u>Attorney for Trustee</u>	<u>                    </u>	<u>                    </u>
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	<u>                    </u>

The trustee's account shows:

<b>Total Receipts</b>	<b>Total Disbursements</b>	<b>Balance</b>
<u>\$ 2404.56</u>	<u>\$ 0.00</u>	<u>\$ 2404.56</u>

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 0.00 ; general unsecured claims have been allowed in the amount of \$ 49135.93 .  
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on \_\_\_\_\_

at \_\_\_\_\_ .

Date: \_\_\_\_\_

**JAMES D. TOKOPH**, Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE: KENNETH & KIMBERLY            / BANKRUPTCY CASE: 01-42380  
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at \_\_\_\_\_ .

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By: \_\_\_\_\_  
Deputy Clerk

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

KENNETH SCHMIDT and  
KIMBERLY SCHMIDT

DEBTORS.

)  
)  
) CASE NO. 01-42380  
) (CHAPTER 7)  
)

**TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS**

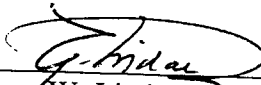
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vii.	Total Distributions to be made	<u>\$2,404.56</u>
viii.	Zero Balance	<u>\$ 0.00</u>

Dated: 4/23/02

  
\_\_\_\_\_  
Joyce W. Lindauer, Trustee  
12900 Preston Road, Suite 1050  
Dallas, Texas 75230  
(972) 503-4033

Claims Proposed Distribution  
Trustee: Joyce W. Lindauer

Case: Kenneth Schmidt and Kimberly Schmidt

Case Balance: \$2,404.56

Total Proposed Payment: \$2,404.56

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	Joyce W. Lindauer Fees - Trustee (Ch 7)	Admin Ch 7	\$601.14	\$601.14	\$0.00	\$601.14	\$601.14	\$1,420.27
	Fees - Trustee's Atty (Ch 7)	Admin Ch 7	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,420.27
1	Sears	Un- secured	\$2,611.21	\$2,611.21	\$0.00	\$2,611.21	\$75.48	\$1,344.79
2	Foley's	Un- secured	\$1,322.32	\$1,322.32	\$0.00	\$1,322.32	\$38.22	\$1,306.57
3	MBNA America	Un- secured	\$22,039.29	\$22,039.29	\$0.00	\$22,039.29	\$637.04	\$669.53
4	World Financial Network	Un- secured	\$639.13	\$639.13	\$0.00	\$639.13	\$18.48	\$651.05
5	Citibank	Un- secured	\$22,523.98	\$22,523.98	\$0.00	\$22,523.98	\$651.05	\$0.00
Total for Case No. 01-42380			\$50,120.22	\$50,120.22	\$0.00	\$50,120.22	\$2,404.56	\$0.00

CASE SUMMARY

	Amount Filed	Amount Allowed	Paid to Date	Proposed Balance
Total Administrative Claims:	\$984.29	\$984.29	\$0.00	\$984.29
Total Priority Claims:	\$0.00	\$0.00	\$0.00	\$0.00
Total Secured Claims:	\$0.00	\$0.00	\$0.00	\$0.00
Total Unsecured Claims:	\$49,135.93	\$49,135.93	\$0.00	\$49,135.93

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

KENNETH SCHMIDT and  
KIMBERLY SCHMIDT

DEBTORS.

)  
)  
)  
)  
)  
)

CASE NO. 01-42380  
(CHAPTER 7)

ORDER APPROVING TRUSTEE'S FINAL REPORT,  
PROPOSED DISTRIBUTION AND ALLOWING COMPENSATION

The Trustee having filed an Application for Compensation and Reimbursement of Expenses, and the Trustee having filed a Final Report and Report of Proposed Distribution, after hearing and due consideration, it is hereby:

ORDERED that the Trustee's Final Report and Proposed Distribution are hereby approved. It is further

ORDERED that the Trustee, Joyce W. Lindauer, is to pay the claims allowed and approved in the Trustee's Final Report and Report of Proposed Distribution.

DATED: \_\_\_\_\_.

\_\_\_\_\_  
UNITED STATES BANKRUPTCY JUDGE